

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

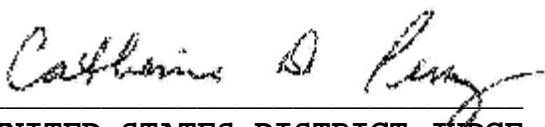
KEVIN P. MILLER, )  
                    )  
                    )  
Plaintiff,        )  
                    )  
                    )  
v.                 )       No. 4:05CV1345(AGF)  
                    )  
                    )  
CRISTINA MILLER-FITZGIBBONS, )  
and                 )  
STATE OF MISSOURI,     )  
                    )  
                    )  
Defendants.        )

ORDER OF DISMISSAL  
PURSUANT TO  
28 U.S.C. § 1915(e)(2)(B)

**IT IS HEREBY ORDERED** that plaintiff's action is  
**DISMISSED**, without prejudice, pursuant to 28 U.S.C. §  
1915(e)(2)(B).

**IT IS HEREBY CERTIFIED** that an appeal from this  
dismissal would not be taken in good faith pursuant to 28 U.S.C.  
§ 1915(a)(3).

Dated this 14th day of December, 2005.

  
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UNITED STATES DISTRICT JUDGE